

Notice of Allowability

Application No.

09/923,960

Applicant(s)

NAKAMURA, SATORU

Examiner

Mark R. Milia

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received on 7/24/06.
2. ☒ The allowed claim(s) is/are 1-7,9-16,18-25 and 27-36.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TWYLER LAMB
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 7/24/06 and has been entered and made of record. Currently, claims 1-7, 9-16, 18-25, and 27-36 are pending.

Response to Arguments

2. Applicant's arguments, see pages 12-17, filed 7/24/06, with respect to claims 1, 10, 19, 31, 33, and 35 have been fully considered and are persuasive. The rejection of claims 1-7, 9-16, 18-25, and 27-36 has been withdrawn.

Allowable Subject Matter

3. Claims 1-7, 9-16, 18-25, and 27-36 allowed.
4. The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose, teach, or suggest the claimed limitations of (in combination with all other limitations in the claims), generating a reference tone pattern and the tone adjusting patterns such that said reference pattern includes a central portion and reference sector portions arranged intermittently around said central portion, the tone adjusting patterns include adjusting sector portions

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arranged intermittently around said central portion and each respectively located between two of the reference sector portions, whereby each of the adjusting sector portions has three sides respectively adjacent to said central portion and two reference sector portions, as set forth in claim(s) 1, 10, 19, 31, 33, and 35.

The closest prior art, previously noted as Watabe (JP 11-070701), discloses a selecting unit configured to select a dot size of a reference tone pattern and a generating unit configured to generate and output to a printer device said reference tone pattern having the dot size selected by said selecting unit and tone adjusting patterns having tones of a predetermined range including a reference tone of said reference tone pattern such that the printer device prints the reference tone pattern and the tone adjusting patterns on a recording medium for evaluation in the tone adjusting process. However, Watabe fails to disclose generating a reference tone pattern and the tone adjusting patterns such that said reference pattern includes a central portion and reference sector portions arranged intermittently around said central portion, the tone adjusting patterns include adjusting sector portions arranged intermittently around said central portion and each respectively located between two of the reference sector portions, whereby each of the adjusting sector portions has three sides respectively adjacent to said central portion and two reference sector portions.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


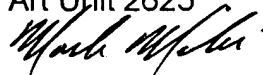
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached at (571) 272-7406. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MRM

Mark R. Milia
Examiner
Art Unit 2625



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